

LITTLE BLUE BOOK NO. 1415
Edited by E. Haldeman-Julius

How the United States Government Works

Harry Hirschman



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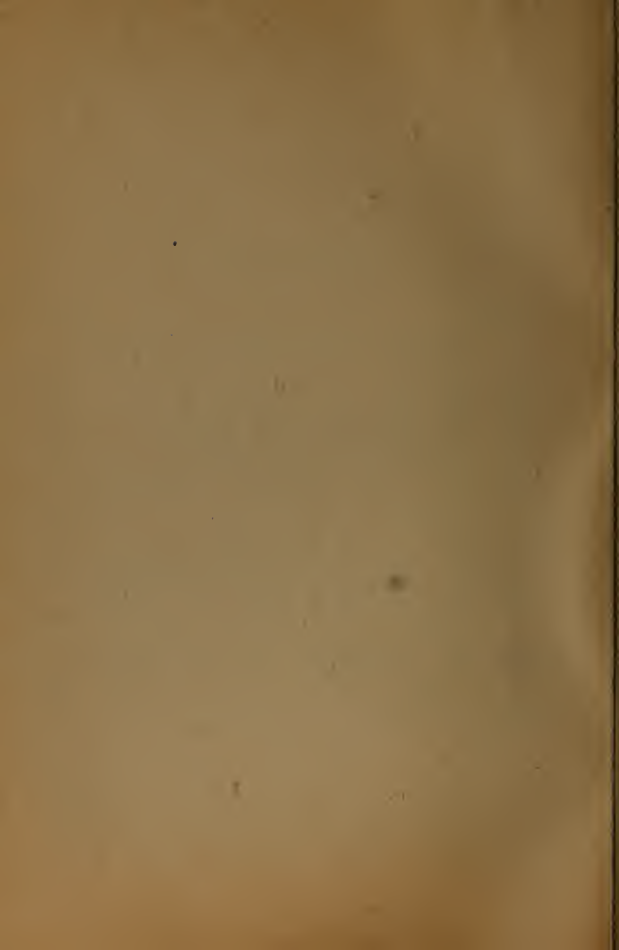
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HOW THE UNITED STATES GOVERNMENT WORKS

CHAPTER I

WHAT THE UNITED STATES GOVERNMENT IS

Government is something from which no man, woman, or child can escape. It greets us at birth, and it parts company with us not even at death but only after our estate, if we are fortunate enough to leave any, is settled. Therefore, while it is not a thrilling subject, how it works is a vital one.

The word "government" comes to us through the Latin language from a Greek word borrowed by the Romans and meaning "to steer the ship." "Govern," therefore, does not mean to "command" in the sense that it applies to a master issuing orders to a slave. It implies rather guidance and direction.

From one angle, then, government means the directing or managing of the affairs of a people. From another angle government means the group of persons set apart to carry on, direct and manage the affairs of a people. Thus, when we speak of "the Hoover government" we mean President Hoover, the members of his cabinet, and the Republican majorities in the Senate and House and the subordinates who help to carry out their policies; and when

we speak of "the Mussolini government" we mean Signor Mussolini and his "yes" men.

I have several times used the word "people" above in a rather awkward fashion. This was necessary in order to avoid the use of several other words referring to things that we assume to exist whenever we speak of government. One is a state, and the other is sovereignty. By the former we mean a body of people living within a specified territory and permanently organized as a political entity. As one of the chief purposes of the state is to provide civil government within its territorial limits, the absolute power of exercising governmental control or of providing for its exercise must be vested somewhere. This power is called "sovereignty." Sovereignty has frequently been regarded as vested in a single ruler by divine right. But in the principal modern states it is recognized to be in the people as a whole.

The United States is a federal state, being composed of organized territorial and political units called "states," each of which retains control over and is supreme as to its own local affairs, but is subordinate to the general government, which is supreme as to the matters delegated to it.

The government of the federal state was provided for in an instrument called the United States Constitution, which set up the machinery of federal government and specified the matters over which that government might exercise authority. But the federal government

has only such powers as have been granted to it by the states and the people, in whom the final sovereignty rests.

In the modern world there are two main types of government. One carries the idea of fusion; the other, the idea of separation. The latter prevails in the United States with its principal of "checks and balances." The former is preferred in Europe, where England has always been the best example. The new governments, including that of Germany, have followed that model rather than ours. Our insistence on keeping the different branches of the government separate and not answerable to one another does not seem most practicable and conducive to good government in the minds of European political thinkers. They are inclined to make the cabinet or ministry the actual government but responsive to the will of the legislative body. Thus in England the ministers must be members of Parliament; while with us they cannot even appear on the floor of either House. We keep a strict line drawn between the legislative branch of the government and the executive branch. In England or France or Germany the ministry, or the executive part, cannot function without the approval of the legislative branch. A vote of lack of confidence means the end of that particular government—that cabinet or ministry. With us the President is absolutely independent of Congress except with reference to treaties and appointments. In France or Germany the President acts only through his ministers. And as to the judiciary, it is subordi-

nate in the European countries. With us, the Supreme Court is supreme.

It is no part of my purpose to discuss the respective merits of these two systems. In fact criticism is not included at all in the plan of this Little Blue Book. Here we shall be interested only in what is implied in our title, "How the United States Government Works." We shall be concerned merely with descriptions and explanations of how the government under which we live operates.

CHAPTER II

WHO MAKES THE LAWS

The law-making branch of the United States government is Congress, which consists of two separate Houses, the Senate and the House of Representatives.

The Senate has two members from each state in the Union. The House of Representatives has a changing membership, directed by the Constitution to be fixed as to number and reapportioned among the states, according to the population as disclosed by the census to be taken every ten years. The Constitution contains a provision to the effect that each state must have at least one Representative, and that there shall not be more than one for every thirty thousand population. Of course, that minimum was discarded long ago. The ratio in effect at present, as there has been no recent reapportionment, is 211,877, which gives the House of Representatives a membership of 435.

Originally the members of the Senate were elected by the different state legislatures; but the Constitution was amended so as to provide for the election of Senators by the direct vote of the people of the different states.

The members of the House of Representatives are elected from Congressional districts into which all the states are divided, though a state may elect one or more Congressmen-at-large if it chooses so to do.

The Senate is usually known as the "upper house" and the House as the "lower house." The term of a Senator is six years and that of a Representative, two.

A person must be at least twenty-five years of age to be a Representative. He must have been a citizen of the United States for at least seven years and must be at the time of his election a resident of the state from which he is chosen.

To be qualified for election to the Senate a person must be at least thirty years of age and have been a citizen of the United States for at least nine years, and must when elected, be a resident of the state for which chosen.

Since the adoption of the 19th Amendment to the Constitution women as well as men are competent to serve as Senators and Representatives.

SALARIES

Senators and Representatives receive a salary of \$10,000 each. In addition each of them receives an allowance for a secretary and for stenographic help. Each of them also is paid mileage at the rate of ten cents a mile for each official trip from his district to Washington and return.

CHAPTER III

WHO EXECUTES THE LAWS

The chief executive of the United States and the head of the government is the President.

The delegates to the Constitutional Convention for a while favored a proposal to let Congress choose the President. But, mindful of the "checks and balance" principle, they worked out a scheme under which each state was to "appoint" in "such manner as the legislature thereof may direct" a number of "electors" equal to the state's combined quota of Senators and Representatives in Congress. These electors were to meet in their respective states and cast their votes in writing for two persons, of whom only one could be an inhabitant of the same state as the electors. The ballots were then to be sealed and transmitted to the president of the Senate, where they were to be counted in the presence of both houses, and the person receiving the most votes was to be President and the one obtaining the next highest number Vice-President.

In the first two elections this scheme functioned satisfactorily; but by the third election it was well understood in advance that the electors would vote either for John Adams or Thomas Jefferson, although they were not pledged in advance. By 1800, however, two well defined political parties had arisen; and at the election of that year, electors were

chosen on the understanding that they would vote for the nominees of their respective parties. And that marked the end of this carefully worked out scheme, and election of the President as the choice of a political party was inaugurated. Nevertheless we still go through the form of voting for electors who elect the President and the Vice-President.

POLITICAL PARTIES

However, as things have developed, no one can understand how the United States is really governed without taking into account the part played by political parties.

The candidates for President and Vice-President of the respective parties are nominated in national conventions. The delegates to these conventions are apportioned among the states on the basis of the representation in Congress, with some exceptions so far as the Republican party is concerned with reference to the southern states. In the Democratic Convention each state has twice as many delegates as it has Senators and Representatives in Congress. The delegates are elected in some states by state conventions and in others under direct primary systems by which the delegates chosen are virtually instructed to vote for the candidate favored by the voters.

One of the main duties of a national political convention is to adopt a platform, theoretically expressing the party's position regarding the crucial issues of the campaign which is to follow. Candidates for President

and Vice-President are then chosen; and when the leading parties have announced their platforms and nominated their candidates, the real campaign is on.

This whole procedure has developed independently of the Constitution; and yet it is quite clear that we have not merely government by certain men filling certain offices under the Constitution and laws passed pursuant thereto, but we have, in addition, government by parties. For the President is not merely President of the United States, but he is also *ex officio* the leader of his party.

QUALIFICATIONS

A person to be President or Vice-President must be a natural born citizen of the United States, at least thirty-five years of age, and fourteen years a resident within the United States.

SALARY

The President receives a salary of \$75,000 a year. In addition there is an appropriation of several hundred thousand dollars annually for the upkeep of the White House, for clerks and attendants, traveling expenses, motor cars, a yacht and other expenditures.

The Vice-President receives a salary of \$15,000 a year.

THE CABINET

Strange as it may seem, the Constitution makes no provision for a cabinet or ministers.

The only reference to anything of the sort is that the President "may require the opinion, in writing, of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices." The departments referred to were not named in the Constitution; and they have been created from time to time by Congress. In the beginning there were three: The department of state, the department of the treasury, and the war department. To these were shortly added the department of justice and the post office department. At present there are, in addition to these, the navy department, the department of the interior, the department of agriculture, the department of labor and the department of commerce. The total number of departments, then, is ten; and their heads are by custom the members of the President's cabinet.

The head of each department is appointed by the President with the consent of the Senate; but this consent is very rarely withheld. A department head may not sit in either the Senate or the House of Representatives. This is in marked contrast, as already pointed out, with the English system.

The cabinet meets regularly twice a week and may be summoned for a special meeting at any time. The members sit at an oblong table in order of seniority with the President at the head. The proceedings are as a rule kept secret, and no formal record of the discussions that take place is kept.

SALARIES

The members of the cabinet receive annual salaries of \$15,000 each. They have under secretaries, assistant secretaries and other subordinates whose salaries run from \$10,000 down. Each department has, of course, an extensive personnel.

CHAPTER IV

WHO RENDERS JUSTICE

The Constitution provides that "the judicial power of the United States shall be vested in one supreme court and in such inferior courts as the Congress may, from time to time, ordain and establish."

Under this provision of the Constitution Congress at its first session enacted a law providing for a Supreme Court, three circuit courts, and a number of district courts. Six justices were appointed for the Supreme Court, but there were no separate circuit judges, and the work of each circuit court was left to two justices of the Supreme Court and the judge of the district in which the session was held.

One of the saddest manifestations of the imperfections of our politically controlled government is to be found in the record of the federal judiciary, in turn neglected, imposed upon, and buffeted by Congress. This is not the place to tell that story; but the interested reader is referred to "The Business of the Supreme Court" by Felix Frankfurter and James M. Landis.

At present the United States Supreme Court has nine members. They meet in what was formerly the Senate Chamber in the old part of the Capitol in Washington. The Justices are appointed by the President with the approval of the Senate and hold office for life. They can only be removed by impeachment.

The chief justice receives a salary of \$15,000 and the others \$14,500 each.

The country is divided into ten circuits, and in these circuits there are circuit judges, varying in number according to the size of the circuit and the amount of judicial business arising within its borders. Formerly there were circuit courts; but they have been abolished, and the circuit judges now sit with district judges to constitute the United States Circuit Courts of Appeal, of which there is one for each circuit.

The lowest federal court is the District Court. Of these there are some eighty; but a district may be cut up into divisions with one or more judges for each division.

The salaries of the circuit judges are \$12,500 each and of the district judges \$10,000 each.

There are also two special courts concerning which a word needs to be said. One is the Court of Claims, established in 1855, with a chief justice and four associate judges, whose business it is to hear and determine the merits of all claims against the federal government. The other is the Court of Customs Appeals, with the same number of judges as the Court of Claims. It serves as the final court of appeal in all controversies regarding the administration of the tariff laws.

All the judges of inferior federal courts, like those of the Supreme Court, are appointed for life or during good behavior. Their salaries may not be diminished during their tenure of office.

CHAPTER V

WHAT THE PRESIDENT DOES

It is the first duty of the President, as the head of the national administration, to see that the Constitution, laws, and treaties of the United States as well as the decisions rendered by the federal courts are duly enforced. In the discharge of this duty he directs the heads of the various departments and preserves a measure of integration.

The President exercises close control over the Department of State; and he keeps in constant touch with the activities of all the departments.

APPOINTIVE POWER

It has already been noted that the President appoints the federal judges; but their number is insignificant with the total number of federal appointments made by the President in connection with his administrative duties. The most important of the appointments to civil positions are made by the President with the approval of the Senate; but there are also a vast number of inferior positions established by law that are filled by the President alone or by the heads of departments. Of the inferior appointees a large proportion come under the terms of the civil service act, so that they are chosen from eligible lists made up after examinations.

Party considerations naturally play a large

part in the making of these many federal appointments; and it is a settled custom to recognize the members of Congress, when they are of the same party as the President, in making appointments to offices in their respective states and districts.

To what extent the President has the power of removal has been a much controverted question. The Senate has contended from time to time that where an appointment could be made only with its consent a removal likewise required its consent. But strange to say the question was not settled until a few years ago when the Supreme Court finally held that the President could remove such an officer without consulting the Senate. This, of course, does not apply to the federal judges, who, under the Constitution, can only be removed as already stated, by impeachment.

Obviously the responsibility for the filling of the thousands of appointive positions at the disposal of the President, while giving him a powerful political instrument, means that a large share of his time must be devoted to questions of patronage. Particularly just before and immediately after his inauguration does a President deserve sympathy in this connection. He cannot, unfortunately, escape the rush of office seekers even on some battleship for more than a few weeks.

WAR POWERS

The President is the Commander-in-Chief of the Army and Navy. As has been demonstrat-

ed, in time of war the President exercises almost unlimited authority, not merely in the direction of the country's armed forces, but over the economic resources and the man power of the nation.

FOREIGN AFFAIRS

The President is primarily responsible for our foreign policy and its results, though any treaties he negotiates must be confirmed by the Senate to become effective.

Congress creates diplomatic and consular positions by law and provides the salaries attached to them. But the President names those who are to fill the positions, subject to the confirmation of the Senate.

In connection with our foreign relations, the President receives the ambassadors and public ministers of foreign countries; and he may dismiss them, although to do so may embroil the country in international difficulties.

Not all agreements with other countries have the status of treaties; but there are conventions and executive agreements that do not require the approval of the Senate, as for instance, an arrangement with foreign countries regarding the mails.

It is evident that there is a chance for the abuse of the power referred to; and Presidents have frequently been accused of doing, by executive agreement, things to which the Senate might not have given its approval.

THE PARDONING POWER

The President has the power to grant reprieves and pardons for offenses against the United States. This power is unlimited. A fine may be remitted, a death sentence commuted or an offender freed altogether.

Applications for executive clemency come through the department of justice, where there is a pardon clerk through whose hands the papers pass.

THE PRESIDENT AND LEGISLATION

The Constitution requires that the President, from time to time, give Congress information on the state of the Union and that he recommend such legislative measures as he may deem necessary and expedient. The Presidential message may be delivered orally in the presence of both Houses or be sent to them in written form. The latter procedure was followed for more than a hundred years until President Wilson returned to the custom inaugurated by Washington and read his messages to the two Houses in joint session.

The President's message may have great political significance and frequently suggests specific laws that the President considers should be enacted. By means of his message and such pressure and public opinion as he can bring to bear and muster in behalf of his recommendations the President may materially affect legislation by Congress, particularly when his party is in control.

The President's positive influence on legislation is therefore variable. But he has a distinct power under the Constitution of a negative nature. For he may veto any act of Congress that does not meet with his approval. Every bill or joint resolution after it has been passed by Congress must be presented to him and becomes a law only if he signs it or fails to return it within ten days, Sunday excepted. If he disapproves it he must return it to the House in which it originated with a statement of his objections, which constitutes a veto. If both Houses again adopt it by a two-thirds vote it becomes a law in spite of the executive disapproval. Otherwise the veto has the effect of killing the measure. When Congress adjourns the President may quietly dispose of any bills that he does not wish to approve by simply doing nothing. This is known as a "pocket veto." Its legal effect has always been disputed but never tested, up to the present. Now, however, there is a case before the United States Supreme Court involving this question.

GENERAL ACTIVITIES

It is unnecessary to remark that the President cannot personally attend to the many things that the Constitution gives him power to do. He must leave many of the details to subordinates. He cannot even read the thousands of letters that come to the White House each week. His secretaries select those which they think he should see and bring them to his attention.

He spends many of his most important working hours in just seeing people. He has to consult the leaders of his party in Congress about legislation; and he is constantly conferring with them about appointments.

His time is taken up with his duties as party leader and his duties as national leader.

By a special act of Congress the President cannot go anywhere without the protection of a bodyguard. On formal occasions he is accompanied by army and navy officers as aides. He is accompanied at all times by secret service agents.

Custom also decrees a great deal of entertaining by the President. Formal receptions, dinners and dances are a matter of established practice.

Being the head of the nation he is looked upon as belonging to the nation; and every act of his is of public interest. Therefore he is constantly subjected to the demands of reporters and photographers. It has even become customary for him to set aside several hours a week regularly in which to receive the newspaper correspondents in a body.

In his book "Constitutional Government in the United States," published in 1918, Woodrow Wilson said of the President: "He may be both the leader of his party and the leader of the nation, or he may be one or the other. If he leads the nation, his party can hardly resist him. His office is anything he has the sagacity and force to make it."

Whether the President plays the leading part in the drama of government or remains subordinate, the servant of Congress rather than the servant of the people, depends upon who is President.

CHAPTER VI

HOW CONGRESS WORKS

We have already referred to the membership of Congress and incidently mentioned the fact that the Senate must give its approval to treaties and to certain appointments made by the President. The time has come to describe more fully the powers of Congress.

POWERS

The Constitution, in about three hundred and fifty words sets out all the specific powers of Congress; and by the 9th and 10th Amendments it was made clear that the federal government had only such powers as were specifically delegated to it by the Constitution, all others being reserved to the states or to the people. It is therefore rather marvelous that authority has been found for the vast legislative power now exercised by these two Houses. The magic lies in Section 8 of Article I of the Constitution, the last paragraph of which reads:

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

This "implied powers clause," as it is generally called, has been liberally construed by the Supreme court; and by virtue of it the powers of Congress extend over subjects and into fields undreamed of by the framers of the Constitution.

ORGANIZATION

The presiding officer of the Senate is the Vice-President of the United States. In the House, the presiding officer is the Speaker.

As much of the work in both bodies is necessarily done by committees, their place in the scheme of things is of great importance; and the manner in which assignments to them are made is a vital matter to the public as well as to the members of Congress.

An important fact that needs to be grasped at this point is that the way in which Congress goes about its work is determined to a considerable degree by the fact that there are two main political parties, one in control and the other in opposition.

Each party in the Senate and the House has its own caucus from time to time at which the party program is determined. It is in such a caucus held before the opening of each Congress that the majority in the House chooses the Speaker and the minority puts forward a candidate for the same office, whom it thus formally names as its leader. At the same caucus provision is made regarding the selection of the standing committees. The majority also decides in the caucus whether it

will adopt the rules of the preceding Congress or modify them.

The caucus only partly serves the purpose of concentrating power; and necessarily there must be in practice a leadership vested somewhere in a smaller number than the whole party membership. Until about twenty years ago the leadership in the house was in the Speaker; but, at length, after the matter had even been made a campaign issue in some instances, it was provided that the rules committee should be enlarged and elected and the Speaker ousted from membership on it. Later the Speaker was shorn of all his power over the appointment of committees and their selection was left to the party caucus.

The Speaker, however, still has enormous powers. He may refuse to put motions that he thinks are intended merely for purposes of delay; he may recognize or refuse to recognize any one who wishes to speak or to call up a measure for consideration; he may rule members out of order and must decide questions of parliamentary law—subject, of course, to appeals from the decision of the chair.

In the House the rules committee plays a dominant part. It may bring in resolutions stating what measures shall be considered, how long they shall be debated, and when the vote shall be taken.

Contrary to popular opinion, a Congressman cannot get up and make a speech whenever the spirit moves him. No member can speak without being accorded the privilege by the Speaker; and in practice members are recog-

nized only if they have arranged with the Speaker or with their floor leader in advance for time. Nor can a member bring a pet measure before the House whenever he wishes. In the latter case he must have the approval of the rules committee as in the former he must have the recognition of the Speaker.

An important element in the leadership as well as in the operation of the House of Representatives embraces the chairmen of the most important of the committees. Among these the leading one is the chairman of the ways and means committee. Next to him, probably, stands the chairman of the appropriations committee.

Memberships on the different committees are assigned through the party caucus; but there is no such thing as an open selection. Each party chooses a committee on committees, and the two bodies work in collaboration. It is the custom to give all the chairmanships to the majority members who have served longest in the House; and on each committee the chairman is that majority member who has served longest on that committee. The majority party and the minority are both given memberships on each committee according to a proportion established. And each party sees to it that members who have been in service the longest get the most important committee assignments. So it will be seen that the Speaker and a small group of experienced members largely dominate the proceedings of the committees and of the House.

In the Senate leadership is more likely to be

found in a few men of long service and outstanding character, added to the prestige of important committee appointments. The caucus exists as in the house. So do floor leaders and steering committees. But the individual Senator has more weight in the party councils and more independence of action on the floor than the members of the House. Two of the leading committees in the Senate are those of finance and foreign relations, respectively.

A word or two more needs to be said about the work of committees in Congress. Their number varies from time to time but at present there are about thirty in the Senate and about twice that number in the House. Their functions can be gathered from their names. In addition to those already mentioned, the following in the Senate are important: Appropriations, banking, commerce, education and labor, immigration, interstate commerce, the judiciary, military affairs, naval affairs, privileges and elections, and civil service. In the House the following may be noted: Banking and currency, interstate and foreign commerce, agriculture, labor, immigration and naturalization, elections, and pensions.

Each committee has a well furnished office and perquisites not to be despised, such as clerk hire and stationery.

As we come shortly to a more specific consideration of the process by which laws are made, it is important to bear in mind that only bills favorably reported from committees have much chance of being acted upon, and that much of the real legislative work is actually

done in committee rooms behind closed doors.

Every bill, no matter what its nature, when it is first introduced is referred to the committee having jurisdiction over the subject matter to which it relates. Thousands of bills thus sent to committees are not considered at all.

However, a committee need not limit its work to the consideration of proposed measures submitted to it for consideration. It may, and frequently does, prepare bills of its own relating to the matters placed under its authority. In many instances committees hold extensive hearings on proposed measures, summoning department heads and other witnesses.

The committee's action with reference to any particular measure may be to amend it, to recommend its adoption, to report adversely on it, to delay a report indefinitely, or to ignore it altogether.

In the House, a bill may be brought out of a committee, in spite of the inaction of the committee, and laid before the House whenever one hundred and fifty members sign a petition demanding such action.

The more important committees have so much work now that they are compelled to apportion a great deal of it among sub-committees. They report, of course, to the main committee.

Special committees are also appointed from time to time to deal with questions out of the ordinary. Investigating committees, in particular, have been rather common of late.

Another kind of committee, the existence of

which the reader must understand is the conference committee. It is called into being whenever the House and the Senate fail to agree upon a given measure. Each then appoints a delegation to work out a compromise.

Another institution that needs to be mentioned is the committee of the whole. This is merely the entire membership of the House sitting as a great committee, with this difference as compared with a regular session—the Speaker does not preside, the strict rules of procedure do not apply, one hundred members make a quorum and there are no roll calls. In short it is an arrangement enabling the House to deliberate informally, and large use is made of this procedure.

When the House is in session a member desiring to be heard, rises in his place and addresses the presiding officer as "Mr. Speaker." The Speaker, if he decides to recognize the member, asks: "For what purpose does the gentleman rise?" Congressmen are not addressed by name on the floor of the House. The custom is to say, "The gentleman from New York" or "The gentleman from Missouri."

The Speaker loses none of his rights or privileges, as a member, when he becomes Speaker. He has a vote, like any other member; and he may take the floor if he desires to do so.

THE PROCESS OF LAW-MAKING

The procedure by which a bill or draft of a proposed law is introduced is simple. The Con-

gressman merely writes his name on it and drops it into a box at the clerk's desk. During the opening days of a session thousands of bills are thus introduced. All of the bills are sorted out, given serial numbers, and referred to the regular committees. If there is any doubt to which committee a certain bill should go, the Speaker decides. The bill is put into printed form meanwhile at public expense.

The possible action of the committee to which the bill is referred has already been described. If we assume that after a hearing and due consideration, the committee reports favorably on a bill, what happens next is that the bill is placed on the calendar. There are in fact three calendars containing favorably reported measures of three different categories; and matters on a calendar are not necessarily taken up in their order, for a bill may be advanced by a proper vote.

Every bill must have three readings in the House. The first is by title only; the second is a reading of the whole measure; and the third is by title only unless some member requests that it be read in full.

There are four methods of voting in the House. The common plan is by *viva voce* vote. If any member doubts the result he may call for a rising vote. Or the vote may be taken by tellers, appointed by the Speaker. And finally, under the Constitution, if one-fifth of the members ask for it, the ayes and nays shall be recorded.

After a measure has gone through this whole

process of introduction, action by a committee, report from the committee, readings and votes, it goes to the Senate; and there a similar course of procedure is followed.

A measure having passed the House is certified by the clerk and sent to the Senate chamber. Then the Senate may pass it without change, may defeat it, or may let it die in committee. Or instead of doing any of these things, the Senate may make amendments, in which case the bill must go back to the House for a vote on the amendments. If they are accepted, the matter is settled; but if there is a disagreement, the usual plan, as already mentioned, is to have a conference committee appointed to straighten out the differences between the two Houses. If no agreement is reached, of course, the measure fails. For nothing can become a law unless both Houses have concurred in every word of it.

We have been speaking of a bill introduced in the House. But, of course, a bill may originate in the Senate, although the Constitution contains the specific provision that "All bills for raising revenue shall originate in the House of Representatives."

When a bill has passed its various stages in both the House and Senate, it is signed by the presiding officers of the two chambers and then transmitted to the President for his approval or veto. If the President signs it or permits it to become a law without his signature, it goes to the state department and in due course is published in a book containing the federal

statutes, and finds a place in the United States Code.

Little has been said above regarding the oratory which many people imagine plays a large part in Congressional action. As a matter of fact its importance is greatly exaggerated; and most of it is far more closely related to politics than it is to legislation.

When a bill is reached on one of the House calendars or is called up out of turn, the chairman of the committee which has reported it usually opens the debate, though some other member of the committee may be given that task. If the report has not been unanimous, some member of the committee representing the minority point of view then follows with a speech in opposition. Other members of the House are recognized after the members of the committee have been heard. No member may address the House for more than one hour without unanimous consent; and if there is any likelihood of a long debate, the House usually, at the beginning of the discussion, fixes a time at which the vote will be taken. The previous question may also be moved at any time as a means of bringing a debate to a close.

When the House is in committee of the whole, speeches are limited to five minutes each.

In the Senate debate is not limited as it is in the House; and ordinarily a Senator may speak as long as he wishes whether he has anything to say or not. Since 1917, however,

it has been possible for the Senate, by a two-thirds vote, to bring any debate to an end within a reasonable time. Still there is no other legislative body in the world that gives its members the same unrestricted chance to talk that the Senate of the United States does. It is a matter of common knowledge that the privilege is frequently abused, especially towards the close of a session, when, by what is known as a "filibuster," a measure may be talked to death.

Perhaps it should be added that the mere fact that a Congressman's speech appears in the Congressional Record is no sign that it has actually been delivered, for a member may obtain "leave to print." It is not the practice of the Senate to grant "leave to print"; but in the House it is a very common practice.

The Senate, of course, in addition to its legislative functions, as already mentioned, participates in the making of treaties and in the appointment of federal judges and other officials.

The negotiations for a treaty with a foreign country are conducted by the department of state. After the formal document has been prepared and signed by the diplomatic representatives of the countries concerned, it is presented to the Senate. Here it is referred to the committee on foreign relations, which may hold hearings on it if such a course seems desirable. The committee recommends either that the treaty be approved or that it be rejected; and the matter is then before the

Senate for action. If the Senate gives its approval, the treaty goes into effect. If the Senate refuses its approval, the efforts of the state department and all the proceedings between the countries involved, with reference to the matter, come to naught.

So far as the appointive power is concerned when the President has occasion to fill any office he sends a nomination to the Senate. There it is referred to the appropriate committee. If the nomination be that of a federal judge, for instance, it goes to the judiciary committee. The committees to whom the nominations are referred, make investigations as to the qualifications of the persons nominated and hear objections. In due time they make reports favorable or unfavorable, which are followed by the action of the whole Senate, either affirming or rejecting the President's nominees.

While the sketch here given of the way in which Congress works, is necessarily brief, it should suffice to give a fair conception of how the two Houses function both separately and as the Congress of the United States.

CHAPTER VII

HOW THE EXECUTIVE DEPARTMENTS WORK

We had occasion in a preceding chapter to name the different executive departments. We shall now glance briefly at the different functions they separately perform. Each of them, of course, is divided into numerous bureaus and divisions with duties so varied and extensive that the mere description of the work of one corner would fill pages of a book like this. Their machinery is exceedingly complex; and most of them are continually expanding. We cannot do more than give the barest outline of their functions.

The Department of State has charge of the relations of this country with other countries. It negotiates treaties, sends and receives diplomatic correspondence, issues passports, and gives instructions to our ambassadors and ministers abroad. It also has charge of the consular service with representatives scattered all over the world.

The Secretary of State is also the custodian of the national archives and the keeper of the great seal of the United States.

The Department of the Treasury is the financial agency of the government. It collects the public revenues and is the custodian of the public funds. It supervises the work of the cus-

toms officers and of the collectors of internal revenue. It issues regulations relating to the revenue and customs service and decides appeals from the rulings of subordinate officers. It audits the accounts of all departments, supervises and regulates the national banks, has charge of the coinage of money, and at present has the responsibility for the enforcement of the National Prohibition Law. This department also has the duty of preparing an annual budget; but it has no actual authority in determining expenditures or financial measures. These matters remain in the hands of Congress; but the Secretary of the Treasury and his assistants may and do advise Congress regarding them. Congress, however, may give scant heed to the Secretary's advice.

The War Department is chiefly concerned with military affairs. It has charge of the military forces and defenses of the nation. Even in time of peace its tasks are of great magnitude and importance. But, in addition to his military authority, the Secretary of War has considerable civil authority. He has supervision of certain public works undertaken by the National Government, such as the dredging of harbors and the improvement of waterways. His department has jurisdiction over all navigable waters, and no obstruction to navigation, such as a bridge, may be erected without its consent. The War Department also supervises the administration of our insular possessions, like Porto Rico and the Philippines.

The Navy Department has all the duties im-

plied in its name. The construction and distribution of naval vessels, the maintenance of navy yards, and the general administration of the country's armed forces on the water, all come under the jurisdiction of this department.

The Department of Justice has charge of the nation's legal affairs. It gives legal advice to the federal authorities and it conducts all the litigation in which the United States is concerned. All the district attorneys in the different judicial districts of the country are subordinate to the Attorney General, and so are all the United States commissioners and marshals. The Attorney General is, in short, the chief law officer of the federal government.

The Post Office Department, under the Postmaster General, has the largest number of employees, and is one of the largest single business enterprises in the world. In addition to transporting the mails, the department operates a vast financial system in the handling of money orders and the operation of postal savings banks.

The Department of the Interior has been facetiously called "the department of things in general," because its functions are so varied. Anything that did not seem to fit anywhere else appears from time to time to have been turned over to this department. It has charge of patents, of pensions, of Indian affairs, of public lands, of the geological survey, of the reclamation service and of the educational work of the National Government, to mention just a few of its unrelated fields of activity.

The Department of Agriculture, as its name indicates, has a varied number of duties, but they all relate to the subject of agriculture. It maintains experimental stations and institutions for the study of soils, plants and live stock. It establishes cattle quarantines and has charge of the inspection of meats and other food products. It makes scientific studies of such subjects as road construction, irrigation, and drainage, and issues bulletins for the information of the public. It controls the weather bureau, compiles crop reports, and fights noxious insects. In fact, it is superlatively a department of constructive service.

The Department of Commerce exists for the primary purpose of developing foreign and domestic trade. It has developed into an instrument of vital value and importance to American business. Among some of the specific functions of this department are the licensing and inspection of steamboats, the regulation of fisheries, the lighthouse service, the making of coast and geodetic surveys, the taking of the census, the maintenance of the bureau of standards, and the publication of commercial statistics.

The Department of Labor has as its main duty the advancement of the welfare of labor; and in that connection one of its functions is the adjustment of the relations of capital and labor. It has charge, also, of the immigration service and of the administration of the naturalization laws. The department includes a women's bureau, a bureau of conciliation, a

bureau of labor statistics, and a bureau of industrial housing.

These are the ten regular departments. But in addition there are a number of other federal agencies, usually called boards or commissions, that deal with various matters outside the scope of the work of the regular departments. A few of them are the Civil Service Commission, the Interstate Commerce Commission, and the Veterans' Bureau.

A moment's consideration of the varied interests and duties of any one of the departments described will be sufficient to convince one that the head of the department and the heads of the different bureaus and divisions have their time fully occupied, particularly as committees of Congress and individual members are constantly making demands for information and data and requesting favors or making suggestions. The worst trouble with the whole complicated system is that it has grown up in haphazard fashion and has never been properly classified or integrated.

CHAPTER VIII

HOW THE COURTS WORK

The federal district court is the court in which practically all federal cases are brought and tried. The Supreme Court has original jurisdiction in certain cases mentioned in the Constitution; for instance, such as involve ambassadors or consuls; but the district courts are the courts of original jurisdiction in most cases. And it is in these courts that most trials, both civil and criminal, take place.

The circuit courts of appeals have appellate jurisdiction to review, by appeal or writ of error, final decisions of the district courts. No cases are begun there.

Certain cases may be taken to the Supreme Court from the circuit courts of appeals and from the state courts of highest appellate jurisdiction, when a federal question is raised or "where is drawn in question the validity of a statute of any state, on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is against its validity"; and there are others that may reach the Supreme Court on the action of the circuit courts of appeals or on the action of the Supreme Court itself.

The jurisdiction of the district courts extends, to put it briefly, over controversies be-

tween citizens of different states, if the amount involved is three thousand dollars or over; over cases arising under the Constitution, treaties, or laws of the United States; over cases of admiralty and maritime jurisdiction; and over cases to which the United States is a party, including criminal prosecutions.

The procedure followed in the district courts is similar to the procedure followed in the state courts where the respective districts are located. Thus, in a state like California with a code practice the pleadings in the federal courts follow the code, while in a state like Pennsylvania where the state courts use common law pleadings, the federal courts do likewise.

Trials in the district courts, whether before the judge, as in equity cases, or before the judge and a jury, are conducted very much like those in the state courts, except that there is somewhat more formality and decorum in the federal courts in many parts of the country.

Appeals in the circuit courts of appeals and in the Supreme Court are heard on printed records and briefs and oral arguments of counsel.

The law administered in the federal courts is both statutory law and common law. The former consists mostly of the acts of Congress. The latter is the common law of the states as it applies to causes properly before the federal courts, for there is no federal common law. The federal courts apply the rules of the common law as they exist in the states where the controversies before the courts originate.

CHAPTER IX

THE GOVERNMENT AND THE STATES

Under the American scheme of government it was intended that the states should surrender certain powers to the national government; but all powers not specifically granted were retained by the states.

The dividing line between the powers and functions properly exercised by the federal government and those belonging to the state governments has become very tenuous; and at present the federal government is certainly doing many things that, strictly speaking, belong to the states. The tendency towards centralization and towards the extension of the federal powers has greatly increased since the opening of the present century.

There was a beginning in this direction during the Civil War when certain public lands were set aside for the benefit of the states to be devoted to the maintenance of agricultural colleges. At first Congress made the gift unconditionally; but later conditions as to management and administration were imposed, and the Bureau of Education was given the duty of seeing that the law was observed.

In 1887 Congress made a lump sum appropriation to each state for an agricultural experiment station. In 1907 it increased the appropriation and laid down additional rules

regarding the expenditure of the money. Eight years later it established in the Department of Agriculture a division having supervision over the agricultural colleges and experiment stations. Now the relationship between the state and the federal authorities has reached a point where federal control of these state institutions is practically absolute.

Other federal acts under which the national authority has been extended into the affairs of the states, usually through the power of money, are the following:

(1) The Smith-Lever Act of 1914, under which appropriations were made for extension work in agriculture to be undertaken jointly by the federal Department of Agriculture and the agricultural colleges of the states.

(2) The Smith-Hughes Vocational Educational Act of 1917, which appropriated federal funds to aid the states in teaching trades, industrial subjects, and home economics.

(3) The Industrial Rehabilitation Act of 1920, which provides for federal aid in restoring to civil employment persons injured in industry. The work must be done in co-operation with the states that accept the terms of the Act.

(4) The Sheppard-Towner Act of 1921, by which federal money was appropriated to the states for the purpose of promoting the welfare of mothers and infants at the time of child-birth.

These are a few of the ways in which the federal government operates in conjunction with

the states. According to present indications the powers of the federal government are more likely to be extended further in this direction than they are to be curtailed.

Of course, there are certain duties and powers that are definitely either federal or state. All the states, for instance, are entitled to the protection of certain guaranties and rights at the hands of the federal government. And conversely there are certain constitutional obligations on the states.

Among the things guaranteed to the states are, first, a republican form of government; and second, protection against invasion.

Among the obligations of the states are, first, that each shall give full faith and credit to the public acts, records, and judicial proceedings of the others; and, second, that each shall permit extradition of criminals.

Each state must also provide the machinery for the election of Senators and Representatives, and must, in other ways, co-operate with the national government. In fact, our scheme of government requires continual co-operation between the states and the nation.

CHAPTER X

THE GOVERNMENT AND THE INDIVIDUAL

Under the philosophy of government held by the founders of this nation, the individual was looked upon as the possessor of certain supreme rights and competent to participate in the determination of his political destiny. Pursuant to this conception the Constitution and the bill of rights, added soon after its adoption, definitely named certain rights which it is one of the highest duties of the federal government to protect. Among these are the right to be immune from punishment by any bill of attainder or ex post facto law, religious liberty, freedom of speech, freedom of the press, freedom of assembly, security of person and home against unreasonable search and seizure, security against being twice placed in jeopardy for the same offense, the right to a speedy and public trial by jury and the right to due process of law in general.

The right to be protected in life, liberty and property and to have the equal protection of the laws extends, of course, to every part of the Union, although some of the rights enumerated above will be protected by the federal government only against federal encroachment.

The individual has a right to pass freely from state to state, to acquire a residence

wherever he pleases, to own property and to carry on any legitimate business.

Of course, the individual also has his obligations to the government. He may be called upon, for instance, to serve on a jury or to bear arms for his country's defense.

CHAPTER XI

THE GOVERNMENT AND THE BUSINESS MAN

The Constitution gives Congress the power to regulate commerce between the several states and with foreign countries. Formerly the prevalent view was that the government should interfere with business under this grant of power as little as possible. But during the last forty years or so the federal government has extended its power over business by many regulatory laws and has set up federal agencies to execute and enforce this legislation.

At the same time the Supreme Court, through numerous decisions, has recognized, as within the Constitution, this interference of the government with business.

This is not the place to discuss the legal developments; but we may appropriately look at some of the constructive measures adopted for the benefit of American business and note how some of the executive departments and bureaus already described, serve the business man.

The Department of Commerce, as its very name indicates, exists for the specific purpose of developing American industry. So to a large degree does the Consular service.

Through these sources an American business man can obtain information regarding

trade opportunities in any part of the world. The information is gathered by the consuls, by special agents and by commercial attaches. Information of this sort is available for those requesting it and is published from time to time in bulletins and reports. These can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

The Bureau of Foreign and Domestic Commerce, in the Department of Commerce, also has a division that pays special attention to foreign patent and trade-mark legislation. Perhaps only those who have engaged extensively in foreign commerce realize the importance of this service. But it has often happened to an American business man that after he had made a certain trade-mark internationally known he found it impossible to use it in certain foreign countries because some one else had registered it before he thought of entering that particular market.

Through the consuls and other representatives, the bureau mentioned also acts as mediator in disputes arising between American exporters and their customers in foreign countries.

The consular service, of course, comes under the jurisdiction of the State Department. It is charged with the duty of assisting American citizens in foreign commercial transactions.

The Tariff Commission created by an Act of Congress passed in 1916, is an investigating body whose duty it is to gather information and make recommendations regarding all ques-

tions of tariff. While its work is not at all spectacular, it is of great importance to American industry. Its work may affect the American business man, on the one hand, through any recommendations it may make for change in tariff rates on goods brought into this country; and, on the other hand, it may be of value to the American business man in giving him information concerning the duties levied in countries with which he proposes to do business.

The government, through the various bureaus, renders extensive service to specific industries, such as mining, fishing, and lumbering. We do not have space to go into detail regarding them; but any business man interested can readily obtain information by writing to the proper department or bureau.

There are three bodies more that need to be named specifically because of their relation to American business.

The first is the Federal Trade Commission, which has the following work to do: (1) To investigate, at the direction of Congress or the President, abuses in commerce and in the relation of industry to the public; (2) To investigate on its own initiative interstate business and to recommend legislation to Congress to correct any abuses found; (3) To receive complaints from any manufacturer, wholesaler or retailer and to take steps, through its legal department, to correct any unfair business methods it may find to exist; (4) To collect and compile data from corporations engaged in interstate commerce; (5) To investigate

trade conditions in foreign countries; (6) To prevent price discrimination and rebates; and, (7) To see in general that trade and corporation laws are observed.

The second of these bodies is the Federal Reserve Board, which has general supervision over the whole banking system in the United States.

The third is the Interstate Commerce Commission, some of whose principal duties are as follows: (1) The regulation of railroad rates and of the rates of other common carriers; (2) To receive complaints against carriers, to investigate them and to take appropriate proceedings, such, for instance, as ordering a refund or a reduction of rates; (3) To prescribe uniform accounting systems for common carriers; (4) To receive and file reports of common carriers; (5) To maintain a department of statistics, making material data available to the public; (6) To ascertain the value of properties owned by common carriers; (7) To investigate railway accidents; (8) To enforce the laws regarding safety appliances and hours of labor; and, (9) To regulate the movement and distribution of cars, so as to prevent car shortages.

CHAPTER XII

THE GOVERNMENT AND THE FARMER

In spite of the fact that "farm relief" has been a slogan and political football for the last few years, the fact remains that the government is already extending a tremendous lot of help to the farmer.

A slight idea of the activities of the Department of Agriculture may be gained by a glance at some of its principal divisions and bureaus. We find, for instance, an administration of packers and stockyards, the weather bureau, the bureau of animal industry, the bureau of plant industry the bureau of chemistry, the bureau of soils, the bureau of entomology, the bureau of agricultural economics, and the insecticide and fungicide board.

This department, therefore, renders innumerable kinds of service to those engaged in agriculture. The service begins before ever a seed is planted and continues until the product is marketed.

Take, for instance, the Bureau of Plant Industry. It ascertains what kind of crops may be produced in a particular section of the country, it searches the world for useful grains, fruits, vegetables, grasses and legumes, it secures new varieties and it tests seeds on demand.

The value to the agriculturists and to the country in general of the work done in introducing new crop plants and fruit cannot be estimated. Rice, adapted to conditions in southern Louisiana, was found only after extensive explorations in Japan, China and India. Wheat, adapted to our semi-arid regions, was brought from Russia. And the seedless grapes of Italy and Greece gave to California its raisin industry.

The Bureau continues to bring in new seeds and plants each year.

The Bureau also tests seeds and reports on the results of the tests. This work and the educational work done through schools and experiment stations, has been of tremendous value.

Soil information, of a general nature or of a specific nature, is available for any one who calls on the Bureau of Soils for help. So is information regarding fertilizers.

The Bureau of Crop Estimates sends out monthly reports regarding acreage, conditions, yields, qualities, prices, etc. There are also weekly reports covering truck crops. And, finally there is a Year Book.

The need of organized action to control insect pests must be apparent to any one who has actually seen the destruction wrought by some species like the Japanese beetle or the boll weevil. The Bureau of Entomology has as its task the controlling of insects destruc-

tive to agriculture and harmful to man or beast.

Extensive experiments are conducted in fields, gardens and orchards; and laboratory tests are made and checked with the field work.

The Bureau will furnish at any time the latest scientific information regarding any phase of this subject; and it cooperates with state bureaus and with the public health service in the fight against insects destructive to crops and injurious to health.

The Bureau of Animal Industry has as its duty the fostering of the live stock industry of the country. Its work includes the making of investigations, experiments dealing with the broad problems of the industry, and education. It also carries on extensive work regarding animal diseases and cooperates with state authorities in the enforcement of federal and state quarantine laws.

The Bureau has a division devoted entirely to dairying. It has a research laboratory where investigations are made regarding milk, cheese, ice cream, etc. It has a department engaged in field research work and another engaged in extension work in cooperation with the state agricultural colleges.

The Department of Agriculture, deeming it important that the business efficiency of the farmer should be brought up to the highest possible standards, maintains a division called the Office of Farm Management, which gathers information directly from farms in practi-

cal operation and puts it in shape for the use of the individual farmer in any part of the country.

The Bureau of Markets is concerned with every phase of marketing and makes investigations and demonstrations, furnishes reports and assists to enforce such laws as The Grain Standards Act and The Standard Container Act. Cooperative marketing has received special study and is encouraged and helped by this Bureau wherever possible. Standardization, of such tremendous importance to the industry, is enforced with reference to grades, packages and containers so far as the law permits; and when there is no law, the Bureau nevertheless recommends standards and encourages their adoption.

This Bureau also makes daily reports regarding perishable fruits and vegetables, and other reports regarding other subjects.

The government also extends financial help to the agricultural industry through The Federal Land Banks, twelve in number, established since 1916.

In the matter of public health the government is doing important work with regard to diseases prevalent in rural districts, such as malaria and pellagra.

To sum it all up the government makes available to the farmer information and help regarding nearly every phase of the industry in which he is engaged, and, not satisfied with that, assists him and his family so far as their

health, education and general welfare are concerned. The farmer is coming more and more to make use of these facilities; and it may be that a still more extensive use of them will prove the salvation of the agricultural industry.

CHAPTER XIII

THE GOVERNMENT AND THE WORKING MAN

The Department of Labor was organized for the benefit of all the workers of the United States, whether union or non-union. And it attempts to function in such a way as to be of general help and value.

One of its important functions is performed by the Bureau of Labor Statistics, the duty of which, as its name indicates, is to gather and publish information concerning labor, especially information regarding hours and earnings of laboring men and women, the relations of capital and labor, and the material and social welfare of labor.

The Bureau publishes a monthly review and various bulletins. These contain, in addition to news of interest to labor, statistics on immigration, unemployment, cost of living, etc.

The Department also maintains an Employment Service, which deals with the labor requirements of the country in agriculture, in the factories, in the mines and in the workshops.

This Service functions through headquarters and sub-branches established in different parts of the country.

Considering the cruel wrongs and impositions of many of the old-time labor agencies, it can be seen that a government agency of this sort may be a boon to the working man look-

ing for a job. It is the policy of the bureau in such cases to get the employer and the employee into direct personal touch with the Service itself.

The work of the Department of Labor regarding which the public hears the most is its mediation service. This Service is authorized in the Act creating the Department of Labor. The Secretary of Labor acts in labor disputes, not as a judge, but as a mediator. The policy of the Department, therefore, is one of conciliation and its representatives attempt to act with fairness to employers, employes and the public, alike.

Many threatened strikes are prevented annually and hundreds of disputes settled.

Another government agency operated for the welfare of the laboring man is The Bureau of Mines. Its primary concern is to see that high standards of safety and health are maintained in the mining industry of the country. It investigates the causes of accidents, makes recommendations, and cooperates with mine owners and miners in working out plans for the improvement of conditions in any given mine.

The Bureau maintains rescue cars in every mining district of the country. They are equipped with experts in rescue work and with first aid appliances of every sort. When not actually required in connection with some disaster, the cars are sent from place to place, and the members of the crew act as teachers of first aid and rescue work in the mining centers. With each of the cars there is a mining engineer who gives talks and personal advice re-

garding sanitation and the general problem of the improvement of living conditions.

Cooperating with the Bureau of Mines in many mining communities will be found the Public Health Service. It has been called upon in particular, to fight against miners' consumption.

Another Bureau maintained in part for the benefit of labor is the Bureau of Navigation of the Department of Commerce, which supervises the labor contracts of seamen on merchant vessels engaged in foreign trade. In this way seamen are protected against fraud and assured that their pay will be forthcoming in accordance with their contracts, which are made under the supervision of the Bureau.

In these various ways the government works to promote and protect the welfare of the laboring men and women of the country, though, of course we have here only glimpsed its activities in outline.

CHAPTER XIV

SUMMARY

In the preamble to the Federal Constitution we read that the Fathers ordained and established it "in order . . . to establish justice . . . promote the general welfare, and secure the blessings of liberty."

They believed that in order to accomplish these objects a government of "checks and balances" would be most likely to succeed and to survive. Consequently, they attempted to have the executive branch and the legislative branch and the judicial branch each distinct and yet each acting as a balance for the others. We have seen how the President checks Congress with the veto power, and how the Senate checks the President through the requirements of its approval for treaties and executive appointments. What the men who framed the Constitution probably did not foresee was the development by which the Supreme Court finally became the supreme check over both the President and Congress.

At present then, as we have seen, the three branches function lustily and vigorously, each to some extent doing for the others what was originally expected. But under the tremendous changes that time has wrought, each has also become vastly more powerful than the originators of this scheme of government ever dreamed.

However, executive branch, legislative branch, judiciary—they all serve, perhaps as well as any human machinery at present can in the United States to fulfill the purposes named in the preamble to the Constitution.

We have examined the ways in which the work of the government is done. We have watched the two Houses of Congress making laws, we have seen the President at his desk, we have seen the various executive departments and their bureaus operating to promote the general welfare, and we have seen the courts rendering justice.

It is not our task here to criticise and to evaluate. Shortcomings are apparent; and that there is room for improvement both from a material and from a human standpoint, there can be no doubt.

But when all is said and done, this outline rather shows after all that the government of the United States does work with fair efficiency. It is probably much better than its founders dared to hope and as good as those of us who are living today deserve.

